



United States Department of the Interior

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OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT

Mid-Continent Regional Coordinating Center
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Alton, Illinois 62002

SUPERFUND DIVISION
OFFICE OF THE DIRECTOR

APR 14 2003

US EPA RECORDS CENTER REGION 5



497877

William Munro, Director
Superfund Division
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Dear Mr. Munro:

Thank you for your letter of April 3, 2003, concerning the Lynnvile, Indiana processing site. It is my understanding from your letter that as a result of the State of Indiana's reclamation of the site you will revise the information in your database indicating EPA's deferral to the OSM Abandoned Mine Lands reclamation program. I have been informed by the State of Indiana that reclamation is now complete at the site and that their post reclamation maintenance program is now in place for the site. I have enclosed several additional photos, including a recent aerial photo documenting the completion of the reclamation.

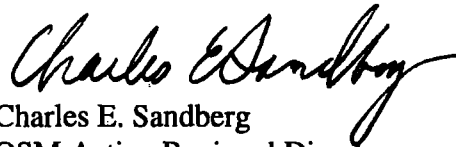
As you can see from the photos, Indiana was very successful in their reclamation efforts and our experience with their program has indicated to us that with each passing year the vegetation they establish will continue to mature and if maintenance is required, the State will address the need in a timely manner.

I would like clarification of one statement included in your letter. The last sentence in your second paragraph, "We will defer further remedial activities while the Indiana AML activities continues.", infers that EPA may still be contemplating work at this site. It was my understanding from our previous conversation that EPA was not as a matter of policy pursuing OSM AML eligible coal sites as Superfund sites and recognized that such a designation would prevent further expenditures of OSM AML monies on any coal site so designated. This would include any further AML expenditures for any maintenance at the Lynnvile site.

I am seeking this clarification because of the National implication for OSM and our State AML programs that a Superfund listing would have on AML funding eligibility. I believe we both may be in agreement on EPA's policy on AML coal eligible sites, but the use of the term "defer" might seem to indicate otherwise.

I would appreciate clarification of the issue raised as to what was intended by the deferral statement as OSM and our AML States are concerned.

Sincerely,



Charles E. Sandberg
OSM Acting Regional Director

Enclosures

cc: Bruce Stevens, Indiana Department of Natural Resources
John Smathers, Solicitor
Jeff Jarrett
Tom Shope



